

# **LAW OFFICES OF HOWARD L. JACOBS**

September 29, 2006

## **VIA FACSIMILE 719-785-2001 AND REGULAR MAIL**

Travis Tygart  
USADA  
1330 Quail Lake Loop, Suite 260  
Colorado Springs, CO 80906

Re: USADA v. Floyd Landis, Sample #995474

Dear Travis:

I am in receipt of the recommendations of the USADA Anti-Doping Review Board in the above-referenced matter. Pursuant to Paragraph 10(a) of the USADA Protocol, Floyd Landis desires a hearing to contest the sanction sought by USADA.

Pursuant to Paragraph 10(b) of the USADA Protocol, Floyd Landis requests that the hearing be open to the public. It is requested that the hearing be conducted at the Pepperdine University School of Law in Malibu, California. Pepperdine University School of Law has the capabilities and the capacity to host this open hearing that will likely have great public interest, and has agreed to host this hearing should it be chosen as an acceptable locale. In this regard, reference is made to R-11 of the American Arbitration Association Supplementary Procedures for the Arbitration of Olympic Sport Doping Disputes, which provides that the AAA shall make "every effort to give preference to the choice of the athlete or other person charged with a doping offense" in deciding on the locale of the hearing.

This request is being made with full reservation of Floyd Landis' rights as to any position he may later take in any arbitral or judicial proceeding. By making this submission, Floyd Landis does not concede the legitimacy of this USADA proceeding, or that USADA has jurisdiction to proceed under the Protocol it has

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Travis Tygart  
September 29, 2006  
Page 2

adopted, including the Hearing Rules set forth in Annex "E" to the USADA Protocol entitled "American Arbitration Association Supplementary Procedures for Arbitration Initiated by the United States Anti-Doping Agency.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Howard L. Jacobs

Cc: Carmen Frobos, AAA (via facsimile)  
Floyd Landis (via e-mail)

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